

# **EXHIBIT A**

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January 19, 2004

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BY FEDERAL EXPRESS

Steve W. Berman, Esq.  
Hagens Berman LLP  
130 Fifth Avenue, Suite 2900  
Seattle, WA 98101

Re: In re Pharmaceutical Industry Average Wholesale Price  
Litigation, MDL No. 1456

Dear Steve:

I am writing to you as part of the continuing document production by Bristol-Myers Squibb Company ("BMS"), Oncology Therapeutics Network Corp. and Apothecon, Inc. Today, we are providing you – as liaison counsel for plaintiffs in the above MDL – the following:

1. A copy set of additional documents produced on December 12, 2003 by BMS to the U.S. House of Representatives' Committee on Energy & Commerce. We have marked the documents BMS/AWP/0051731 - 52804.

2. Responses and objections to plaintiffs' (a) document requests and interrogatories dated December 3, 2003 (which we assume superseded the requests dated June 19, 2003) and (b) second set of document requests dated December 19, 2003. Note that we have not yet obtained our client's signature on the interrogatory responses. We will do so shortly.

3. Eighteen (18) boxes of documents responsive to your discovery requests (BMS/AWP/000052085 - 000097171).

4. Charts for three drugs – Vepesid, Amikin, Fungizone – which contain the prices by NDC, quarter and customer class that we agreed to provide plaintiffs. (BMS/AWP/000096283 - 000096289). Please note that there is some "overlap" between the wholesaler/distributor prices and the prices in other customer

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Steve W. Berman, Esq.

January 19, 2004

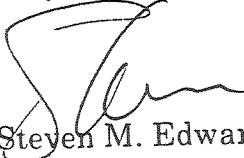
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classes. By this I mean that if a drug initially purchased by a wholesaler/distributor is ultimately purchased by a provider or entity with whom BMS has a direct contractual relationship for the same drug at a lower price, the chart encompasses both the original price to the wholesaler/distributor and the lower price to the other customer.

We have stamped the documents "Highly Confidential" pursuant to the December 13, 2002 Protective Order entered by Judge Saris as the documents contain very sensitive financial information. Please be guided accordingly.

Finally, we are continuing our review of documents and are creating additional charts for other drugs pursuant to our agreement. We will continue to produce documents on a rolling basis. We will also make the additional charts as soon as possible.

Very truly yours,



Steven M. Edwards

Enclosures

**DAVIS POLK & WARDWELL**

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June 1, 2004

**Re: In re Pharmaceutical Industry Average Wholesale Price Litigation  
MDL No. 1456**

Elizabeth A. Fegan, Esq.  
The Wexler Firm, LLP  
One North La Salle Street  
Suite 2000  
Chicago, IL 60602

Dear Ms. Fegan:

On behalf of our client, AstraZeneca Pharmaceuticals LP, enclosed please find seven CD-ROMs in partial response to Plaintiffs' Omnibus Requests for Production and Interrogatories ("Omnibus Requests"): 1) four CD-ROMs containing .tif images of documents bearing the bates numbers AZ0442160 to AZ0466412; 2) two CD-ROMs bearing bates numbers AZ0466413 and AZ0466414 containing transactional sales and rebate data for the AstraZeneca drugs identified in Appendix A to the AMCC; and, 3) one CD-ROM bearing bates number AZ0466415 containing several electronic spreadsheets and documents. These documents and data are being produced in accordance with the terms of the Protective Order entered by the Court in December 2002.

This production represents AstraZeneca's first production in response to the Omnibus Requests. As required by CMO 10, we anticipate providing a privilege log within 14 days.

Sincerely,

Monica Lamb

Enclosure



ROPE & GRAY LLP

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June 23, 2004

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(617) 951-7966  
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**BY FEDERAL EXPRESS**

Steve W. Berman, Esq.  
Hagens Berman LLP  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101

Re: MDL No. 1456

Dear Steve:

Enclosed please find 3 boxes of Schering and Warrick documents. The boxes contain documents selected by your team during their inspection of documents in New Jersey in early June. The documents are numbered SPW 025088 – SPW 032445. They have been marked for confidentiality pursuant to the Protective Order in MDL No. 1456, and must be afforded all applicable protections thereunder.

Also enclosed please find three CDs:

1. One CD containing all available call notes for Integritin and Intron A. The CD is labeled SPW 032446.
2. One CD containing Direct Sales data for all Schering and Warrick drugs identified in the AMCC from January 1991 to March 2004. The CD is labeled SPW 032447.
3. One CD containing Indirect Sales data for all Schering and Warrick drugs identified in the AMCC from January 1991 to March 2004. The CD is labeled SPW 032448.

Although it is not possible to stamp the call notes and data directly with the appropriate "HIGHLY CONFIDENTIAL" designation, we have marked the labels on the CDs "HIGHLY CONFIDENTIAL" and inform you by this letter that the call notes and data are designated "HIGHLY CONFIDENTIAL." They must be afforded all applicable protections under the Protective Order in MDL No. 1456

Steve W. Berman, Esq.

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June 23, 2004

Sincerely,



John R. Therien

Enclosures

cc: John T. Montgomery, Esq.  
Crystal D. Talley, Esq.